

DEC 27 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Dany Berube et al.  
APPLICATION NO.: 10/602,372  
FILING DATE: June 23, 2003  
TITLE: Clamp Accessory and Method for an Ablation Instrument  
EXAMINER: Gary Jackson  
GROUP ART UNIT: 3731  
ATTY. DKT. NO.: 23488-09191

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 12/22/04

By: Albert C. Smith

Albert C. Smith, Reg. No.: 20,355

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**INFORMATION DISCLOSURE STATEMENT**

**Under 37 CFR §§ 1.56 and 1.97-98**

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;

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- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
  - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained

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in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☒ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. \_\_\_\_\_, filed on \_\_\_\_\_, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

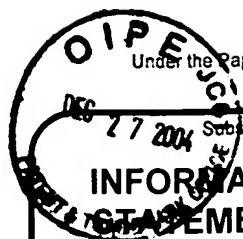
Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
DANY BERUBE, ET AL.

Dated: 12/22/04

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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**Complete if Known**

Application No.	10/602,372
Filing Date	June 23, 2003
First Named Inventor	Dany Berube
Art Unit	3731
Examiner Name	Gary Jackson
Attorney Docket Number	23488-09191

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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number - Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US 2001/0031961 A1	10-18-2001	Hooven
		US 2002/0017306 A1	02-14-2002	Cox et al.
		US 2002/0032440 A1	03-14-2002	Hooven et al.
		US 2002/0042610 A1	04-11-2002	Sliwa, Jr., et al.
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		US 2002/0095145 A1	07-18-2002	Holzappel Lee A et al.

Examiner  
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

23488/09191/DOCS/1491496.1

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		US 2003/0097126 A1	05-22-2003	Woloszko et al.
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		US 2003/0125729 A1	07-03-2003	Hooven et al.
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Art Unit	3731
Examiner Name	Gary Jackson
Attorney Docket Number	23488-09191

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Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
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		US 5,364,351	11-15-1994	Heinzelman et al.
		US 5,366,490	11-22-1994	Edwards et al.
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Sheet 5 of 11

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number – Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
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		US 5,672,174	09-30-1997	Gough et al.
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		US 5,852,860	12-29-1998	Lorraine et al.
		US 5,853,368	12-29-1998	Solomon et al.

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		US 5,860,920	01-19-1999	McGee et al.
		US 5,868,737	02-09-1999	Taylor et al.
		US 5,873,828	02-23-1999	Fujio et al.
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT****Complete if Known**

Application No.	10/602,372
Filing Date	June 23, 2003
First Named Inventor	Dany Berube
Art Unit	3731
Examiner Name	Gary Jackson
Attorney Docket Number	23488-09191

Sheet 7 of 11

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number – Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
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Attorney Docket Number	23488-09191

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Sheet 9 of 11

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number – Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
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				<b>Application No.</b>	10/602,372
				<b>Filing Date</b>	June 23, 2003
				<b>First Named Inventor</b>	Dany Berube
				<b>Art Unit</b>	3731
				<b>Examiner Name</b>	Gary Jackson
				<b>Attorney Docket Number</b>	23488-09191
Sheet	10	of	11		

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number – Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> – Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
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		WO 99/04696	02-04-1999	Cardiac CRC Nominees Pty Ltd.	
		WO 99/59486	11-25-1999	New England Medical Center	

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application No.	10/602,372
				Filing Date	June 23, 2003
				First Named Inventor	Dany Berube
				Art Unit	3731
				Examiner Name	Gary Jackson
Sheet	11	of	11	Attorney Docket Number	23488-09191

FOREIGN PATENT DOCUMENTS					
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Examiner Initials*	Cite No. <sup>1</sup>	Country Code <sup>3</sup> – Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS					
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>		Application Number	10/602,372
		Filing Date	June 23, 2003
		First Named Inventor	Dany Berube
		Group Art Unit Number	3731
		Examiner Name	Gary Jackson
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